

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT
TRANSLATION

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

(PCT Rule 43bis.1)

		Date of mailing (day/month/year)	See Form PCT/ISA/210 (sheet 2)
Applicant's or agent's file reference 205015		FOR FURTHER ACTION See paragraph 2 below	
International application No. PCT/EP2005/004605	International filing date (day/month/year) 29.04.2005	Priority date (day/month/year) 29.04.2004	
International Patent Classification (IPC) or both national classification and IPC B65D30/10, B65D33/25			
Applicant BISCHOF + KLEIN GMBH & CO. KG			

1. This opinion contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the opinion
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I	Basis of this opinion
1.	With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item. <input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2.	With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of: a. type of material <input type="checkbox"/> a sequence listing <input type="checkbox"/> table(s) related to the sequence listing b. format of material <input type="checkbox"/> in written format <input type="checkbox"/> in computer readable form c. time of filing/furnishing <input type="checkbox"/> contained in the international application as filed. <input type="checkbox"/> filed together with the international application in computer readable form. <input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.
3.	<input checked="" type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4.	Additional comments:

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International application No. PCT/EP2005/004605

Box No. V <u>Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</u>																									
<p>1. Statement</p> <table> <tr> <td align="center">Novelty (N)</td> <td align="center">Claims</td> <td align="center"><u>1 - 4</u></td> <td align="center">YES</td> </tr> <tr> <td></td> <td align="center">Claims</td> <td></td> <td align="center">NO</td> </tr> <tr> <td align="center">Inventive step (IS)</td> <td align="center">Claims</td> <td align="center"><u>1 - 4</u></td> <td align="center">YES</td> </tr> <tr> <td></td> <td align="center">Claims</td> <td></td> <td align="center">NO</td> </tr> <tr> <td align="center">Industrial applicability (IA)</td> <td align="center">Claims</td> <td align="center"><u>1 - 4</u></td> <td align="center">YES</td> </tr> <tr> <td></td> <td align="center">Claims</td> <td></td> <td align="center">NO</td> </tr> </table>		Novelty (N)	Claims	<u>1 - 4</u>	YES		Claims		NO	Inventive step (IS)	Claims	<u>1 - 4</u>	YES		Claims		NO	Industrial applicability (IA)	Claims	<u>1 - 4</u>	YES		Claims		NO
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	Claims		NO																						
<p>2. Citations and explanations:</p> <p>1 Reference is made to the following documents:</p> <p>D1: DE 200 17 182 U1 (BISCHOF UND KLEIN GMBH & CO KG) 14 February 2002 (2002-02-14)</p> <p>D2: DE 200 08 403 U1 (BISCHOF UND KLEIN GMBH & CO) 27 July 2000 (2000-07-27)</p> <p>D3: CA 2 453 331 A1 (TOTANI CORPORATION) 24 January 2004 (2004-01-24)</p> <p>2 The closest prior art is the side-gusset bag according to document D1. This side-gusset bag is defined in the preamble of claim 1.</p> <p>The aim of the invention is to provide better sealing for the side gussets at their top ends.</p> <p>The invention solves this problem by a side-gusset bag having the additional features according to the characterizing part of claim 1.</p> <p>None of the available documents discloses a weld connection between that region of the side-gusset halves which is adjacent to the folded-over end</p>																									

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regions of the side gussets and the adjacent bag wall.

The side-gusset bag of claim 1 is thus novel (PCT Article 33(2)) and involves an inventive step (PCT Article 33(3)).

Claims 2-4 are dependent on claim 1 and thus likewise meet the PCT requirements for novelty and inventive step.